

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL NO. 1053

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Fund” insert “- Preservation of Scientific Identification Evidence”; in line 5, after “felony” insert “or certain misdemeanors”; strike beginning with “altering” in line 17 down through “severable;” in line 22, and substitute “declaring that the provisions of this Act are not severable; making this Act subject to a certain contingency; providing for the termination of this Act;”; and in line 23, after “testing” insert “, the preservation of scientific identification evidence,”.

AMENDMENT NO. 2

On page 3 in line 30, and on page 4 in line 12, in each instance, after “FELONY” insert “OR A VIOLATION OF § 6-205 OR § 6-206 OF THE CRIMINAL LAW ARTICLE”.

On page 8, strike in their entirety lines 14 and 15.

On page 9, in line 1, strike the colon; strike in its entirety line 2; in line 3, strike “(II)”; strike in their entirety lines 29 through 31, inclusive; in line 32, strike “(G)” and substitute “(F)”; and in line 37, strike “(H)” and substitute “(G)”.

On page 10, in line 23, strike “3.” and substitute “2.”; and in lines 25 and 26, in each instance, after “felony” insert “or a violation of § 6-205 or § 6-206 of the Criminal Law Article”.

On pages 10 and 11, strike in their entirety the lines beginning with line 28 on page 10 through line 30 on page 11, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of Article 1, § 23 of the Annotated Code of Maryland, the provisions of this Act are not severable, and if any provision of this Act or the application thereof to any person or circumstance is held invalid

(Over)

for any reason in a court of competent jurisdiction, no other provision or application of this Act may be given effect.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is contingent on the receipt by the Department of State Police of a binding written award of a grant from any private entity or federal agency by September 1, 2002, of at least \$1,500,000 to be used to implement the provisions of this Act during the period between October 1, 2002 and September 30, 2003. If the Department of State Police does not receive a binding written award by September 1, 2002 as provided in this Section, this Act, with no further action required by the General Assembly, shall be null and void and of no force and effect. If the Department of State Police receives a binding written award by September 1, 2002, the Department shall forward a copy of the written award within 5 days of receipt to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401.

SECTION 5. AND BE IT FURTHER ENACTED, That, subject to Section 4 of this Act, this Act shall take effect October 1, 2002. It shall remain effective for a period of 1 year and, at the end of September 30, 2003, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.